

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Lester Dortch,

Civil No. 08-1047 (RHK/AJB)

Petitioner,

**ORDER**

vs.

Warden Duke Terrell,

Respondent.

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Before the Court are Petitioner's Objections to the April 15, 2008 Report and Recommendation of Magistrate Judge Arthur J. Boylan. The undersigned has reviewed do novo Judge Boylan's recommendation and the Objections thereto. Based upon that review, and all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Objections (designated as "Response Reply") (Doc. No. 4) are  
**OVERRULED;**
2. The Report and Recommendation (Doc. No. 3) is **ADOPTED;** and
3. The Application for habeas corpus relief under 28 U.S.C. § 2241 (Doc. No. 1)  
is **DISMISSED** for lack of jurisdiction.

Dated: June 11, 2008

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge